

REMARKS

The Office Action dated November 7, 2005 (hereinafter the "Office Action") has been carefully reviewed. Claims 19 and 29 have been amended and claim 38 has been added. Accordingly, claims 19-38 are pending in this patent application. Reconsideration of this application is respectfully requested.

I. 35 U.S.C. § 103 Rejection

Claims 19 and 29 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,897,625 to Gustin et al. (hereinafter "Gustin") in view of U.S. Patent No. 5,953,710 to Fleming (hereinafter "Fleming"). Claims 20-28 and 30-37 were rejected under 35 U.S.C. § 103 as being unpatentable over Gustin in view of Fleming, and further in view of U.S. Patent No. 6,193,155 B1 issued to Walker et al. (hereinafter "Walker"). Reconsideration of the pending claims is respectfully requested.

Discussion Re: Patentability of Claim 19

1. Claim 19

Claim 19, as amended, reads as follows:

A method of operating an electronic banking terminal, comprising the steps of:
 (a) operating said terminal to permit deposit of funds into a banking account in response to entry of a first personal identification number (PIN number) into said terminal;

(b) operating said terminal to permit deposit of funds into said banking account in response to entry of a second PIN number into said terminal, said first PIN number being different than said second PIN number;

(c) operating said terminal to permit user withdrawal of funds up to a first dollar amount limit from said banking account in response to entry of said first PIN number into said terminal; and

(d) operating said terminal to permit user withdrawal of funds up to a second dollar amount limit from said banking account in response to entry of said second PIN number into said terminal, wherein said first dollar amount limit is less than said second dollar amount limit.

The Examiner has acknowledged that Gustin fails to teach steps (b) and (d) identified above. (Office Action at page 3). The Examiner has alleged, however, that Fleming teaches step (b) above at column 6, lines 20-47, and further that Fleming teaches step (d) above at column 6, lines 48-67. The Applicant respectfully traverses.

2. There is No Motivation for the Proposed Combination

As an initial matter, the Examiner has apparently alleged that motivation for the proposed combination may be found in U.S. Patent No. 5,649,118 to Carlisle et al. (hereinafter “Carlisle”). The Applicant has found no such motivation in Carlisle.

Specifically, the Examiner has proposed that the motivation for the combination would be to “allow Gustin to identification to get information in the form of ID and RND1 when a prompt for input is given to provide a PIN string and PIN is confirmed.” (Office Action at page 3). To the extent this can be understood, the motivation appears to be a reference to FIG. 3 and column 10 lines 32-49 of Carlisle. The discussion in Carlisle, however, merely describes a log-in process that is used in the method and system taught therein. In that system, various messages are passed during the log-in process. Only one log-in event, however, is being conducted (i.e. a single log-in sequence). The Applicant has not found any teaching in Carlisle of a benefit associated with the use of different PIN numbers during different log-in events (e.g. two different log-in sequences) for a single account wherein each PIN number is associated with different privileges.

Therefore, it is respectfully submitted that there is no motivation for the proposed combination. Accordingly, since the Examiner has acknowledged that Gustin does not disclose each element of claim 19, claim 19 is patentable over the prior art.

3. Fleming Does Not Teach Steps (b) and (d) of Applicant's Claim 19

Steps (b) and (d) of claim 19 recite that a second PIN number is used to deposit funds into the account and to withdraw funds from that same account. Therefore, claim 19 recites that a single account is accessed by two different PIN numbers, with different rules applying to how the account may be used depending upon the PIN number. Fleming does not teach, suggest or disclose the use of two different PIN numbers for a single account.

Specifically, Fleming discloses a system wherein a child is given an account *separate* from the parents account. (See, e.g. Fleming at FIG. 2 showing the parent's account record 24 as separate from the child's account record 26). The accounts are "linked" in that the parent account identifies the child account and *vice versa*; however, the two accounts are separate. (Fleming at Abstract, FIG. 2). For example, to access the respective accounts, PIN numbers may be used. More specifically, the parent's account 24 requires the use of a PIN number. (Fleming at column 6, lines 33-36). In contrast, a PIN number for use with the child's account is "optionally" provided. (Fleming at column 6, lines 37-38). Thus, while some controls are provided by the owner of the parent's account, the child's account of Fleming is a second account with its own associated PIN number. Therefore, Fleming discloses two different PIN numbers, but the PIN numbers are used to access two *different* accounts. The use of two *different* PIN

numbers to access two *different* accounts is not the same as the use of two *different* PIN numbers to access the *same* account.

Further, the Applicant has reviewed the passages of Fleming identified by the Examiner and cannot locate any teachings other than the use of a single PIN number with any one account. (Fleming at column 6, lines 20-47). Thus, Fleming does not disclose, teach or suggest the use of two *different* PIN numbers that access the *same* account.

Therefore, because the Examiner has not identified two *different* PIN numbers that access the *same* account in the system of Fleming, the proposed combination does not arrive at the invention recited in claim 19. Accordingly, under MPEP § 2143.03, claim 19 is patentable over the prior art.

4. Conclusion

For any or all of the foregoing reasons, it is respectfully submitted that the rejection of claim 19 as being obvious over Gustin in view of Fleming has been successfully traversed, and the Applicants respectfully submit that the rejection of claim 19 under 35 U.S.C. § 103 should be withdrawn.

Moreover, if the rejection of claim 19 is maintained after consideration of the discussion included herein, then Applicant respectfully requests that the Examiner provide an explanation of the proposed motivation to combine the references as the motivation provided cannot be readily understood.

Discussion Re: Patentability of Claims 20-28

Each of claims 20-28 depends directly or indirectly from claim 19 and includes additional limitations. By way of example, claim 20 recites “depositing said gift dollar amount into said banking account in response to said reading step.” Thus claim 20 requires the money from a gift certificate to be deposited in the account accessed with the PIN number. In contrast, the portion of Walker relied upon by the Examiner only discloses a gift certificate that *takes money out* of an account. (Walker at column 5, lines 23-25 and 47-50). Using a gift card to make a deposit into the identified account is not the same as using a gift card to assess a charge against the identified account.

Similarly, claim 21 recites “operating said terminal to permit deposit of funds into said banking account in response to entry of a third PIN number into said terminal.” Thus, claim 21 recites three *operable* PIN numbers for a single account. In contrast, the Examiner has cited to Gustin’s treatment of *inoperable* PIN numbers. (Gustin at column 9, lines 54-62). Three PIN numbers that cannot access an account is different from an account that can be accessed by three PIN numbers.

Accordingly, for at least the reasons above and the same reasons set forth above with respect to claim 19, claims 20-28 are patentable over the prior art.

Discussion Re: Patentability of Claim 29

The discussion relating to the patentability of claim 19 is relevant to the patentability of claim 29. Thus, claim 29 is believed to be allowable over the cited art.

Discussion Re: Patentability of Claim 30-37

Each of claims 30-37 depends directly or indirectly from claim 29 and includes additional limitations. As a result, each of claims 30-37 is allowable for, at least, the reasons hereinbefore discussed with regard to claim 29.

II. Claim 38

Claim 38 has been added. This claim recites novel and non-obvious limitations. Accordingly, claim 38 is believed to be allowable over the prior art.

III. Conclusion

Applicants respectfully request entry of the amendments and favorable consideration of the application.

A prompt and favorable action on the merits is requested.

Respectfully Submitted,
Maginot, Moore & Beck



James D. Wood
Attorney for Applicants
Attorney Registration No. 43,285

March 7, 2006

Maginot, Moore & Beck
Chase Tower
111 Monument Circle, Suite 3250
Indianapolis, IN 46204-5115
Telephone: (317) 638-2922